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EXAMINER

NGUYEN, THUONG

ART UNIT	PAPER NUMBER
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2455

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/600,472	Applicant(s) PETERSON ET AL.	
	Examiner Thuong (Tina) T. Nguyen	Art Unit 2455	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 and 57-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 and 57-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/19/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the RCE filed on 12/19/08. Claims 1-40 & 57-61 are pending and represent method of modifying a checksuite.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-40 & 57-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moulden, Patent No. 2006/0206870 A1 in view Caswell, Patent No. 5,964,891, and further in view of Johnson, Patent No. 5,557,740.

Moulden teaches the invention substantially as claimed including integrated computer testing and task management systems (see abstract).

4. As to claim 1, Moulden teaches a method, comprising:

selecting a checksuite for editing, the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system (figure 9; figure 15-16; figure 29; page 3, paragraph 47; page 4, paragraph 53; page 6, paragraph 72; Moulden discloses that the method of selecting existing test project or creating a test project or enable the test routine depends on particular machine); and

editing the checksuite, the editing including at least one of removing an existing individual check from the checksuite, modifying the existing individual check, or adding a new individual check to the checksuite (figure 37-38; page 5, paragraph 60 & 65; page 9, paragraph 98; Moulden discloses that the method of modifying attributes of an existing suite or modifying test suite or adding the new test cases to an existing group);

simultaneously applying the edited checksuite to a first machine that includes the first operating system and a second machine that includes the second operating system, wherein the first machine and the second machine are each one of ~~the two or~~ more previously selected machines or one or more additional machines (page 4, paragraph 51 & 53; page 5, paragraph 58; page 6, paragraph 72; page 9, paragraph 98-100; Moulden discloses that the method of simultaneously running the modified test suite on selected machines).

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But Moulden failed to teach the claim limitation wherein selecting a checksuite based on commands received from a web browser; and editing the checksuite based on commands received from the web browser; the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system, the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor parameters of a second operating system.

However, Caswell teaches diagnostic system for a distributed data access networked system (see abstract). Caswell teaches the limitation wherein selecting a checksuite based on commands received from a web browser (figure 4-5; figure 10 & 12; col 7, lines 20 – col 8, lines 68); and editing the checksuite based on commands received from the web browser (figure 10 & 12; col 9, lines 40 – col 10, lines 57).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Caswell so that the system would be able to generate the test routines based on the diagnostic request. One would be motivated to do so to provide effective customer support of these services.

However, Johnson teaches method and system for providing device support testing for a plurality of operating systems (see abstract). Johnson teaches the limitation wherein the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor parameters of a second operating system (col 2, lines 40-63; col 4, lines 25-63; col 5, lines 65 – col 6, lines 28; col 7, lines 5-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Johnson so that the system would be able to test the device drivers necessary for each operating system. One would be motivated to do so to reduce the cost and that the operating system not be substantially modified.

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5. As to claim 2, Moulden, Caswell and Johnson teach the method as recited in claim 1, wherein editing the checksuite further comprises:

adding one or more new individual checks to the checksuite (page 6, paragraph 72; Moulden discloses that the method of adding or specifying the context for suites and test group); and

applying the edited checksuite to the one or more previously selected machines (page 6, paragraph 68; Moulden discloses that the method of activates the test suite once the user complete the process).

6. As to claim 3, Moulden, Caswell and Johnson teach the method as recited in claim 2, further comprising:

selecting one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the method of selecting the desire test suite); and

applying the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the method of run the test suite for the selected machine).

7. As to claim 4, Moulden, Caswell and Johnson teach the method as recited in claim 2, further comprising:

de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the method of deleting and modifying the selected test suite); and

removing the edited checksuite from the deselected machines (page 5, paragraph 66; Moulden discloses that the method of removing the selected test suite from the machine).

8. As to claim 5, Moulden, Caswell and Johnson teach the method as recited in claim 2, wherein applying the edited checksuite to the one or more previously selected machines cancels any differences made to at least one of the one or more previously selected machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the test suite and creating the sequence for the test suite).

9. As to claim 6, Moulden, Caswell and Johnson teach the method as recited in claim 2, wherein applying the edited checksuites to the one or more previously selected machines preserves any differences made to at least one of the one or more previously selected machines (page 5, paragraph 58; Moulden discloses that the method of run the test suite for the selecting machines).

10. As to claim 7, Moulden, Caswell and Johnson teach the method as recited in claim 1, wherein editing the checksuite further comprises:

deleting one or more individual checks from the checksuite (page 5, paragraph 63; Moulden discloses that the method of deleting the selected test case from the test suite); and

applying the edited checksuite to the one or more previously selected machines (page 9, paragraph 95; Moulden discloses that the method of run the test suite for the selected machine).

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11. As to claim 8, Moulden, Caswell and Johnson teach the method as recited in claim 7, further comprising:

selecting one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the method of selecting the desire test suite); and

applying the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the method of run the test suite for the selected machine).

12. As to claim 9, Moulden, Caswell and Johnson teach the method as recited in claim 7, further comprising:

de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the method of deleting and modifying the selected test suite); and

removing the edited checksuite from the de-selected machines (page 5, paragraph 66; Moulden discloses that the method of removing the selected test suite form the machine).

13. As to claim 10, Moulden, Caswell and Johnson teach the method as recited in claim 7, wherein applying the edited checksuite to the one or more previously selected machines cancels any differences made to at least one of the one or more previously selected machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the test suite and creating the sequence for the test suite).

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14. As to claim 11, Moulden, Caswell and Johnson teach the method as recited in claim 7, wherein applying the edited checksuite to the one or more previously selected machines preserves any differences made to at least one of the one or more previously selected machines (page 5, paragraph 58; Moulden discloses that the method of run the test suite for the selecting machines).

15. As to claim 12, Moulden, Caswell and Johnson teach the method as recited in claim 1, wherein editing the checksuite further comprises:

modifying one or more individual checks within the checksuite (page 9, paragraph 98; Moulden discloses that the method of modifying the test case within the test suite or test group); and

applying the edited checksuite to the one or more previously selected machines (page 7, paragraph 77; Moulden discloses that the method of activate the test suite from the selected machine).

16. As to claim 13, Moulden, Caswell and Johnson teach the method as recited in claim 12, further comprising:

selecting one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the method of selecting the desire test suite); and

applying the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the method of run the test suite for the selected machine).

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17. As to claim 14, Moulden, Caswell and Johnson teach the method as recited in claim 12, further comprising:

de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the method of deleting and modifying the selected test suite); and

removing the edited checksuite from the de-selected machines (page 5, paragraph 66; Moulden discloses that the method of removing the selected test suite from the machine).

18. As to claim 15, Moulden, Caswell and Johnson teach the method as recited in claim 12, wherein applying the edited checksuite to the one or more previously selected machines cancels any differences made to at least one of the one or more previously selected machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the test suite and creating the sequence for the test suite).

19. As to claim 16, Moulden, Caswell and Johnson teach the method as recited in claim 12, wherein applying the edited checksuites to the one or more previously selected machines preserves any differences made to at least one of the one or more previously selected machines (page 5, paragraph 58; Moulden discloses that the method of run the test suite for the selecting machines).

20. As to claim 33, Moulden teaches a method comprising:

the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system (page 4, paragraph 53; page 6, paragraph 72; Moulden

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discloses that the method of applying the checksuite to particular machine and operating system);

selecting the requested checksuite (page 1, paragraph 10; page 3, paragraph 47;

Moulden discloses that the method of selecting the appropriate test suite);

editing the checksuite, the editing including at least one of removing an existing individual check from the checksuite, modifying the existing individual check, or adding a new individual check to the checksuite (figure 37-38; page 5, paragraph 60 & 65; page 9, paragraph 98; Moulden discloses that the method of modifying attributes of an existing suite or modifying test suite or adding the new test cases to an existing group).

applying the edited checksuite to a first machine that includes the first operating system and a second machine that includes the second operating system, wherein the first machine and the second machine are each one of the two or more previously

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selected machines or one or more additional machines (page 4, paragraph 51 & 53; page 5, paragraph 58; page 6, paragraph 72; page 9, paragraph 98-100; Moulden discloses that the method of simultaneously running the modified test suite on selected machines).

But Moulden failed to teach the claim limitation wherein receiving a request to select a checksuite for editing from a web browser, the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor

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parameters of a second operating system; editing the checksuit based on commands received from the web browser.

However, Caswell teaches the limitation wherein receiving a request to select a checksuite for editing from a web browser (figure 4-5; figure 10 & 12; col 7, lines 20 – col 8, lines 68); and editing the checksuite based on commands received from the web browser (figure 10 & 12; col 9, lines 40 – col 10, lines 57).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Caswell so that the system would be able to generate the test routines based on the diagnostic request. One would be motivated to do so to provide effective customer support of these services.

However, Johnson teaches the limitation wherein, the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor parameters of a second operating system (col 2, lines 40-63; col 4, lines 25-63; col 5, lines 65 – col 6, lines 28; col 7, lines 5-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Johnson so that the system would be able to test the device drivers necessary for each operating system. One would be motivated to do so to reduce the cost and that the operating system not be substantially modified.

21. As to claim 34, Moulden, Caswell and Johnson teach the method as recited in claim 33, wherein saving the changes made to the selected checksuite (page 6,

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paragraph 68; Moulden discloses that the method of saving the changes for the test suite).

But Moulden and Johnson failed to teach the claim limitation wherein receiving changes made to the selected checksuite; receiving a request to save the changes made to the selected checksuite.

However, Caswell teaches the limitation wherein receiving changes made to the selected checksuite (figure 4-5); receiving a request to save the changes made to the selected checksuite (col 8, lines 55-68).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden and Johnson in view of Caswell so that the system would be able to response to the request from the client. One would be motivated to do so to issue the request and confirm the response for the particular requests.

22. As to claim 35, Moulden, Caswell and Johnson teach the method as recited in claim 33, wherein editing the checksuite further comprises:

adding the new individual checks to the selected checksuite (page 6, paragraph 72; Moulden discloses that the method of adding or specifying the context for suites and test group);

saving the selected checksuite as modified (page 6, paragraph 68; Moulden discloses that the method of saving the changes for the test suite); and

applying the modified checksuite to the one or more previously selected machines (page 6, paragraph 68; Moulden discloses that the method of activates the test suite once the user complete the process).

But Moulden and Johnson failed to teach the claim limitation wherein receiving new individual checks.

However, Caswell teaches the limitation wherein receiving new individual checks (col 7, lines 21-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden and Johnson in view of Caswell so that the system would be able to response to the request from the client. One would be motivated to do so to issue the request and confirm the response for the particular requests.

23. As to claim 36, Moulden, Caswell and Johnson teach the method as recited in claim 33, wherein editing the checksuite further comprises:

selecting the requested one or more individual checks (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the method of selecting existing test project or creating a test project);

deleting the selected one or more individual checks (page 5, paragraph 63; Moulden discloses that the method of deleting the selected test case from the test suite);

saving the modified checksuite (page 6, paragraph 68; Moulden discloses that the method of saving the changes for the test suite); and

applying the modified checksuite to the one or more machines previously selected (page 6, paragraph 68; Moulden discloses that the method of activates the test suite once the user complete the process).

But Moulden and Johnson failed to teach the claim limitation wherein receiving a request to select one or more of the individual checks; receiving a request the delete the selected one or more individual checks; receiving a request to save the checksuite as modified.

However, Caswell teaches the limitation wherein receiving a request to select one or more of the individual checks (figure 4-5); receiving a request the delete the selected one or more individual checks (figure 12); receiving a request to save the checksuite as modified (col 9, lines 40-68).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden and Johnson in view of Caswell so that the system would be able to response to the request from the client. One would be motivated to do so to issue the request and confirm the response for the particular requests.

24. As to claim 37, Moulden, Caswell and Johnson teach the method as recited in claim 33, wherein editing the checksuite further comprises:

selecting the one or more requested individual checks (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the method of selecting existing test project or creating a test project);

saving the one or more modified individual checks (page 6, paragraph 68; Moulden discloses that the method of saving the changes for the test suite).

But Moulden and Johnson failed to teach the claim limitation wherein receiving a request to select one or more individual checks within the checksuite; receiving a modification of at least one parameter of the one or more selected individual checks; receiving a request to save the one or more individual checks as modified.

However, Caswell teaches the limitation wherein receiving a request to select one or more individual checks within the checksuite (figure 4-5); receiving a modification of at least one parameter of the one or more selected individual checks (figure 12); receiving a request to save the one or more individual checks as modified (col 9, lines 40-68).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden and Johnson in view of Caswell so that the system would be able to response to the request from the client. One would be motivated to do so to issue the request and confirm the response for the particular requests.

25. As to claim 38, Moulden, Caswell and Johnson teach the method as recited in claim 37, wherein applying the checksuite containing the one or more modified individual checks to the one or more previously selected machines (page 6, paragraph 68; Moulden discloses that the method of activates the test suite once the user complete the process).

But Moulden and Johnson failed to teach the claim limitation wherein receiving a request to apply the checksuite containing the one or more modified individual checks to the one or more previously selected machines.

However, Caswell teaches the limitation wherein receiving a request to apply the checksuite containing the one or more modified individual checks to the one or more previously selected machines (col 8, lines 55-68).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden and Johnson in view of Caswell so that the system would be able to process corresponding requests for the test script. One would be motivated to monitoring server processes in a client-server system.

26. As to claim 39, Moulden, Caswell and Johnson teach the method as recited in claim 36, wherein applying the modified checksuite to the one or more previously selected machines preserves differences made to the one or more previously selected machines (page 5, paragraph 58; Moulden discloses that the method of run the test suite for the selecting machines).

27. As to claim 40, Moulden, Caswell and Johnson teach the method as recited in claim 36, wherein applying the modified checksuite to the one or more previously selected machines cancels differences made to the one or more previously selected machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the test suite and creating the sequence for the test suite).

28. As to claim 57, Moulden teaches an apparatus, comprising:

a memory to store instructions (page 6, paragraph 72; Moulden discloses that the apparatus of included the memory in the system); and

a processor, coupled to the memory, to execute the instructions, the instructions causing the processor to

select a checksuite for editing, wherein the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system (figure 9; figure 15-16; figure 29; page 3, paragraph 47; page 4, paragraph 53; page 6, paragraph 72; Moulden discloses that the apparatus of selecting existing test project or creating a test project or enable the test routine depends on particular machine),

to edit the checksuite, the editing including at least one of removing an existing individual check from the checksuite, modifying the existing individual check, or adding a new individual check to the checksuite (figure 37-38; page 5, paragraph 60 & 65; page 9, paragraph 98; Moulden discloses that the apparatus of modifying attributes of an existing suite or modifying test suite or adding the new test cases to an existing group), and

to simultaneously apply the edited checksuite to a first machine that includes the first operating system and a second machine that includes the second operating system, wherein the first machine and the second machine are each one of the two or

more previously selected machines or one or more additional machines (page 4, paragraph 51 & 53; page 5, paragraph 58; page 6, paragraph 72; page 9, paragraph 98-

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100; Moulden discloses that the apparatus of simultaneously running the modified test suite on selected machines).

But Moulden failed to teach the claim limitation wherein to select a checksuite based on commands received from a web browser; the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor parameters of a second operating system; to edit the checksuite based on commands received from the web browser.

However, Caswell teaches the limitation wherein to select a checksuite based on commands received from a web browser (figure 4-5; figure 10 & 12; col 7, lines 20 – col 8, lines 68); to edit the checksuite based on commands received from the web browser (figure 10 & 12; col 9, lines 40 – col 10, lines 57).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Caswell so that the system would be able to generate the test routines based on the diagnostic request. One would be motivated to do so to provide effective customer support of these services.

However, Johnson teaches the limitation wherein the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor

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parameters of a second operating system (col 2, lines 40-63; col 4, lines 25-63; col 5, lines 65 – col 6, lines 28; col 7, lines 5-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Johnson so that the system would be able to test the device drivers necessary for each operating system. One would be motivated to do so to reduce the cost and that the operating system not be substantially modified.

29. As to claim 58, Moulden, Caswell and Johnson teach an apparatus as recited in claim 57, wherein the instructions cause the processor to edit the checksuite by performing at least one of adding one or more new individual checks to the checksuite, deleting one or more individual checks from the checksuite, or modifying one or more individual checks within the checksuite (page 6, paragraph 72; Moulden discloses that the apparatus of adding or specifying the context for suites and test group).

30. As to claim 59, Moulden, Caswell and Johnson teach an apparatus as recited in claim 58, wherein the instructions further cause the processor

to select one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the apparatus of selecting the desire test suite), and

to apply the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the apparatus of run the test suite for the selected machine).

31. As to claim 60, Moulden, Caswell and Johnson teach an apparatus as recited in claim 58, wherein the instructions further cause the processor

to de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the apparatus of deleting and modifying the selected test suite), and

to remove the edited checksuite from the deselected machines (page 5, paragraph 66; Moulden discloses that the apparatus of removing the selected test suite from the machine).

32. As to claim 61, Moulden, Caswell and Johnson teach an apparatus as recited in claim 57, wherein the instructions further cause the processor to select the checksuite (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the apparatus of selecting existing test project or creating a test project), and to edit the checksuite (page 5, paragraph 60 & 65; page 9, paragraph 98; Moulden discloses that the apparatus of modifying attributes of an existing suite or modifying test suite).

But Moulden and Johnson failed to teach the claim limitation wherein to receive a command.

However, Caswell teaches the limitation wherein to receive a command (figure 4-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Caswell so that the system would be able to process corresponding requests for the test script. One would be motivated to monitoring server processes in a client-server system.

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33. Claims 17-32 disclose a machine readable medium claims and do not teach or define any new limitations above claims 1-16 and therefore are rejected for similar reasons.

Response to Arguments

Applicant's arguments with respect to claims 1, 17, 33 & 57 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments include the failure of previously applied art to expressly disclose selecting a checksuite for editing based on commands received from a web browser (see Applicant's response, 12/19/08, page 13, paragraph 3). It is evident from the detailed mappings found in the above rejection(s) that Caswell disclosed this functionality (see Caswell, figure 4-5; figure 10 & 12; col 7, lines 20 – col 8, lines 68). Further, it is clear from the numerous teachings (previously and currently cited) that the provision for selecting and editing the checksuite based on commands received from the web browser was widely implemented in the networking art. Thus, Applicant's arguments drawn toward distinction of the claimed invention and the prior art teachings on this point are not considered persuasive.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina Nguyen whose telephone number is 571-272-3864, and the fax number is 571-273-3864. The examiner can normally be reached on 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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